

EXHIBIT #1

Copies

Notice of Incomplete Reply (3/11/02)



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/923,842	08/07/2001	Dan A. Steinberg	ACT-142 (1117-6)

CONFIRMATION NO. 2026

FORMALITIES LETTER



OC000000007611396

Edward C. Meagher, Esq.
DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553

Date Mailed: 03/11/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 01/22/2002 to the Notice to File Missing Parts (Notice) mailed 09/14/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below **SHOULD** be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- o The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- o Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 was not received.
- o **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

EXHIBIT #2

Copies

Utility Patent Application Transmittal

Reply Receipt Postcard

Please type a plus sign (+) inside this box → +

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	ACT-142 (1117-6)
	First Inventor	Steinberg et al.
	Title	ALIGNMENT APPARATUS AND METHOD FOR ALIGNING STACKED DEVICES
	Express Mail Label No.	EL820508690US

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
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1. ☒ **Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit on original and a duplicate for fee processing)
2. ☒ **Applicant claims small entity status.**
See 37 CFR 1.27.
3. ☒ **Specification** [Total Pages **40**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ **Drawing(s) (35 U.S.C. 113)** [Total Sheets **10**]
5. **Oath or Declaration** [Total Pages **1**]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ **Application Data Sheet. See 37 CFR 1.76**

7. ☐ **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**
8. **Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)**
 - a. ☐ **Computer Readable Form (CRF)**
 - b. **Specification Sequence Listing on:**
 - i. ☐ **CD-ROM or CD-R (2 copies); or**
 - ii. ☐ **paper**
 - c. ☐ **Statements verifying identity of above copies**

- | ACCOMPANYING APPLICATION PARTS | |
|---|---|
| 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) | |
| 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) | <input type="checkbox"/> Power of Attorney |
| 11. <input type="checkbox"/> English Translation Document (if applicable) | |
| 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 | <input type="checkbox"/> Copies of IDS Citations |
| 13. <input type="checkbox"/> Preliminary Amendment | |
| 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) | |
| 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) | |
| 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. | |
| 17. <input checked="" type="checkbox"/> Other: Check in the amount of \$833.00 | |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: _____


Prior application information:

Examiner: _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label		or <input checked="" type="checkbox"/> Correspondence address below			
Name	Edward C. Meagher, Esq.				
Address	DILWORTH & BARRESE, LLP 333 Earle Ovington Blvd.				
City	Uniondale	State	New York	Zip Code	11553
Country	U.S.A.	Telephone	(516) 228-8484	Fax	(516) 228-8516

Name (Print/Type)	Edward C. Meagher	Registration No. (Attorney/Agent)	41,189
Signature		Date	8/7/01

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL820508690US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

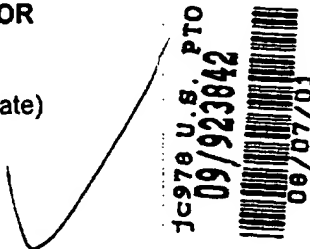
Dated: August 7, 2001

Edward C. Meagher

PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

Utility application for Steinberg et al. entitled:
**ALIGNMENT APPARATUS AND METHOD FOR
ALIGNING STACKED DEVICES**

1. Utility Patent Application Transmittal
2. Application Fee Transmittal (PTO) (in triplicate)
3. 30 pages of Specification
4. 9 pages of claims
5. 1 page of Abstract
6. 10 sheets of Formal Drawings
7. Request for Early Publication
8. Check in the amount of \$833.00
9. Certificate of Mailing by Express Mail No. EL820508690US



Serial No.: Not Assigned
Filed: August 7, 2001
Docket: ACT-142 (1117-6)
Dated: August 7, 2001

ECM/gm

EXHIBIT #3

Copies

Reply Transmittal to Notice to File
Missing Parts

Notice to File Missing Parts

Declaration

PATENTAtty. Docket No. ACT-142 (1117-6)IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT :

EXAMINER :

APPLICANT(S) : Steinberg et al.

SERIAL NO. : 09/923,842

FILED : August 7, 2001

FOR : ALIGNMENT APPARATUS AND METHOD
FOR ALIGNING STACKED DEVICES

Dated: October 26, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231TRANSMITTAL

Sir:

Enclosed please find the following documents:

1. Copy of Notice to File Missing Parts
2. Original signed Declaration and Power of Attorney

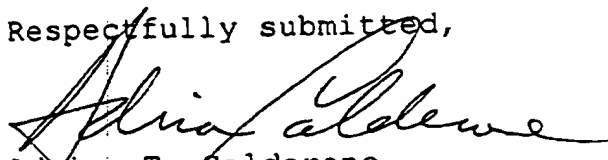
I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail, postpaid in an envelope, addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

on October 26, 2001Dated: October 26, 2001
Adrian T. Calderone

3. Assignment Recordation Cover Sheet
4. Assignment
5. Check in the sum of \$40.00 pursuant to 37 CFR 1.21(h) for Recordation of the Assignment
6. Reply Postcard

Please charge any deficiency in the fees or credit any overpayment to Deposit Account 04-1121. TWO DUPLICATE COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Adrian T. Calderone
Registration No. 31,746
Attorney for Applicant(s)

DILWORTH & BARRESE, LLP
333 Earle Ovington Boulevard
Uniondale, New York 11553
(516) 228-8484



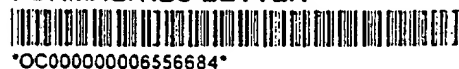
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/923,842	08/07/2001	Steinberg	ACT-142 (1117-6)

CONFIRMATION NO. 2026

FORMALITIES LETTER



OC000000006556684

Edward C. Meagher, Esq.
DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553

Date Mailed: 09/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

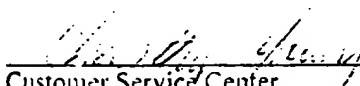
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- o The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

PATENT
Attorney's Docket No. ACT-142 (1117-6)

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: *(check one applicable item below)*

- ☐ original
- ☐ design
- ☐ supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor *(if only one name is listed below)* or an original, first and joint inventor *(if plural names are listed below)* of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ALIGNMENT APPARATUS AND METHOD FOR ALIGNING STACKED DEVICES

SPECIFICATION IDENTIFICATION

the specification of which: *(complete (a), (b) or (c))*

(a) ☐ is attached hereto.

(b) ☐ was filed on August 7, 2001 as ☐ Serial No. 0 / ____ or ☐ Express Mail No. EL820508690US, as Serial No. not yet known _____ and was amended on _____ *(if applicable)*.

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. 1.67.

(c) ☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____ *(if any)*.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, and

☐ in compliance with this duty there is attached an information disclosure statement in accordance with 37 C.F.R. 1.98.

PRIORITY CLAIM (35 U.S.C. §119)(a)-(d)

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d) ☒ no such applications have been filed.

(e) ☐ such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119(a)-(d)**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(34 U.S.C. §119(e))**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

60/223,163

August 7, 2000

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. §120.

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(List name and registration number)*

PETER G. DILWORTH, Reg. No. 26,450; ROCCO S. BARRESE, Reg. No. 25,253; DAVID M. CARTER, Reg. No. 30,949; PAUL J. FARRELL, Reg. No. 33,494; PETER DELUCA, Reg. No. 32,978; JEFFREY S. STEEN, Reg. No. 32,063; JOSEPH W. SCHMIDT, Reg. No. 36,920; RAYMOND E. FARRELL, Reg. No. 34,816; ADRIAN T. CALDERONE, Reg. No. 31,746; GEORGE M. KAPLAN, Reg. No. 28,375; RUSSELL R. KASSNER, Reg. No. 36,183; CHRISTOPHER G. TRAINOR, Reg. No. 39,517; GEORGE LIKOUREZOS, Reg. No. 40,067; EDWARD C. MEAGHER, Reg. No. 41,189; MICHAEL P. DILWORTH, Reg. No. 37,311; MICHAEL E. CARMEN, Reg. No. 43,533; HAROLD G. FURLOW, Reg. No. 43,621; DANIEL E. TIERNEY, Reg. No. 33,461; MICHAEL J. MUSELLA, Reg. No. 39,310; JUDY NAAMAT, Reg. No. 39,311; MICHAEL R. BREW, Reg. No. 43,513; MICHAEL J. PORCO, Reg. No. 46,007; JOHN F. GALLAGHER, Reg. No. 47,234; and FRANCESCO SARDONE, Reg. No. 47,918, each of them of DILWORTH & BARRESE, LLP, 333 Earle Ovington Boulevard, Uniondale, New York 11553, and MARTIN MEDER, Reg. No. 34,674 and DAN A. STEINBERG, Reg. No. 45,129.

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

(Name and telephone number)

Martin G. Meder, Esq.

540-552-4610

HALEOS, Inc.
3150 State Street
Blacksburg, VA 24060

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor Dan A. Steinberg
Inventor's signature *Dan Steinberg*
Date _____ Country of Citizenship US
Residence Blacksburg, VA

Post Office Address 410 Lee Street, Blacksburg, VA 24060

Full name of second joint inventor, if any Mindaugas F. Dautartas
Inventor's signature *Mindaugas F. Dautartas*
Date _____ Country of Citizenship US
Residence Blacksburg, VA
Post Office Address 2006 Sycamore Trail, Blacksburg, VA 24060

Full name of third joint inventor, if any Jasean Rasnake
Inventor's signature *Jasean Rasnake*
Date _____ Country of Citizenship US
Residence Blacksburg, VA
Post Office Address ~~2800 L Foxhunt Lane~~, Blacksburg, VA 24060

1315 Sandy Circle
JAR

**CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING
ADDED PAGE(S) WHICH FORM A PART OF THIS DECLARATION**

- ☐ Signature for subsequent joint inventors.
Number of pages added ____.
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor.
Number of pages added ____.
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 C.F.R. §1.47.
Number of pages added ____.
- ***
- ☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.
Number of pages added ____.
- ***
- ☐ Authorization of attorney(s) to accept and follow instructions from representative.
- ***

If no further pages form a part of this Declaration then end this Declaration with this page and check the following item.

- ☐ This declaration ends with this page.